IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6392 OF 2005

Dr. Sheetalkumar P. Hiran ... Petitioner

V/s

The Secretary,
The Medical Council & ors. ... Respondents

Ms. Manjiri Parasnis with G.S. Godbole for the petitioner.

Ms. Simran Puri for the respondent No.1.

CORAM: H.L. GOKHALE &
J.H. BHATIA, JJ.

DATED: 12TH JUNE, 2006

P.C.:

1. Heard Ms. Parasnis with Mr. G.S. Godbole for the petitioner. Ms. Puri appears for the respondent No.1.

2. The petitioner has cleared his M.B.B.S. Examination. Thereafter he has done a two years' course in the College of Physician & Surgeons in Bombay and has obtained a Fellowship from that college known as Fellowship (F.C.P.S.) Certificate in Medicine. The petitioner wants a declaration as per clause (b) that

this F.C.P.S. is equivalent to M.D. This equivalence is sought for the purpose of further admission to the D.M. (Doctor of Medicines) Course. There is no difficulty in saying that as far as F.C.P.S. is concerned, it is a course which is recognized by the Medical Council of India. The question is, whether it is equivalent to M.D. ?

3. Ms. Puri appearing for the Medical Council of India points out that M.D. is a course of 3 years', whereas this F.C.P.S. course is of 2 years'. The contents of both these courses are obviously different and the study undergone and the duration thereof is also different. Naturally, such a declaration cannot be granted. It is a matter of the Medical Council of India to decide and Ms. Puri state that the Medical Council has not accepted this course to be equivalent to that of M.D.

4. In view of this position, we cannot interfere through this petition. Petition stands dismissed.

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(H.L. GOKHALE, J.)

(J.H. BHATIA, J.)